REMARKS

The courts have long held that the issue of obviousness is not to be viewed in a vacuum and that the actions of people in the field are accordingly relevant to the issue. Applicant has filed an Information Disclosure Statement which identifies numerous patents that show the cooling of a bottle with an inserted blow tube. The inventors in each of the above-referred to patents were doing the same thing as the inventor herein - removing heat from a formed glass bottle. In these prior art patents, the blow tube was lowered to a fully inserted location and kept there for the entire cooling process. In none of these prior art references is the blow tube cycled a plurality of times during the cooling process. One cannot argue that these inventors could not have cycled these blow tubes so that some motor would have operated so that the blow tube would go up and down a plurality of times while being used. The courts state that one must ask the question: "If it was obvious to do something, why, when there was so much opportunity, did no one do it?"

The examiner has rejected claim 1, simply saying that it is possible. It is possible. But the objective evidence that numerous people did not do it, shows that it was not obvious to do it.

Another explanation routinely provided by the courts is that if all of the people skilled in the art do something in a particular way (here fully lower the blow tube and stay), this establishes a direction of the art - when someone departs from a long standing established direction, the courts hold that such constitutes evidence of invention.

The point is that the well-defined patent history demonstrates that it was not obvious to cycle the blow tube as claimed in claim 1. The mere fact that something is possible has no relevance in view of this history. Claim 1 patentably defines over the prior art and should be presently allowed.

Respectfully submitted,

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